



15 JAN 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

#18

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Wolfgang E. Stutius  
ROPES AND GRAY  
One International Plaza  
Boston, MA 02110-2624

In re Application of  
MEARS, Robert, et al.  
U.S. Application No.: 09/914,944  
PCT No.: PCT/GB00/00768  
International Filing Date: 03 March 2000  
Priority Date: 05 March 1999  
Attorney's Docket No.: NVSS-P01-001  
For: IMPROVEMENTS IN AND RELATING TO  
GRATINGS

DECISION ON RENEWED  
PETITION

In a decision mailed by this Office on 25 September 2003, applicants' petition under 37 CFR 1.181 was dismissed for failure to satisfy all the requirements for a grantable petition. Specifically, the decision stated that applicants "must provide a copy of the docket record [of prior counsel] which sets out all the responses due in the USPTO on 15 April 2002, the date on which a response to the Notification Of Missing Requirements was due." The decision also required specific statements from both current and prior counsel with respect to the non-received Notification.

On 25 November 2003, applicants filed the renewed petition considered herein. This renewed petition is accompanied by the statements and docket records required by the earlier decision. Applicants have now submitted all the requirements for a grantable petition to withdraw the holding of abandonment based on the failure to receive an Office communication.

Applicants' renewed petition is **GRANTED**.

Applicants' assertion that the Notification Of Missing Requirements mailed 15 February 2002 was not received is accepted.

The Notification Of Abandonment mailed 03 July 2003, based as it was on applicants' failure to respond to the Notification Of Missing Requirements, is appropriately **VACATED**.

Applicants have still not submitted an executed declaration in compliance with 37 CFR 1.497. Applicants have **TWO (2) MONTHS** from the mail date of this decision to submit such declaration. Failure to file a timely and proper response will result in abandonment of the application.

Any further correspondence with respect to this matter deposited should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

*Ree R*

Richard M. Ross

PCT Petitions Attorney

PCT Legal Office

Telephone: (703) 308-6155

Facsimile: (703) 308-6459